



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/228,101	01/11/1999	VOLKMAR SCHROTH		7309

7590 06/27/2003

Harness Dickey & Pierce PLC  
P O Box 8910  
Reston, VA 20195

EXAMINER

HARPER, KEVIN C

ART UNIT	PAPER NUMBER
----------	--------------

2666

DATE MAILED: 06/27/2003

10

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/228,101

Applicant(s)

SCHROTH, VOLKMAR

Examiner

Kevin C. Harper

Art Unit

2666

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 April 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 2-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4-5 is/are allowed.
- 6) ☒ Claim(s) 2 and 6 is/are rejected.
- 7) ☒ Claim(s) 3 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 April 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

***Response to Arguments***

Applicant's arguments with respect to the rejection of claim(s) 2-6 have been fully considered and are persuasive. Therefore, the previous rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection or objection for claims 2-3 and 6 is made in view of Humphrey et al. (US 6,396,853) and Jean-Claude (US 4,542,500).

***Drawings***

1. The corrected or substitute drawings were received on April 21, 2003. These drawings are approved.

***Claim Rejections - 35 USC § 103***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 2 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al. (US 5,940,456) in view of Jean-Claude (US 4,542,500) or Humphrey et al. (US 6,396,853).

2. Regarding claim 2, Chen discloses a circuit arrangement for an SDH transmission system for transmitting plesiochronous signals (Figure 4). The circuit comprises a clock synchronizer (items 502-505; col. 6, lines 2-12) for receiving the plesiochronous signals through several input channels and for adapting the received plesiochronous signals to a common processing clock (item 510). The circuit also comprises an inherent reception multiplexer (note: synchronized signals adapted to a common clock are provided at a multiplexed output of PDH 502-505) and a reception processing means (item 508) connected at the output of the reception multiplexer for

Art Unit: 2666

transforming a plesiochronous signal into a synchronous signal for an SDH transmission channel (col. 6, lines 8-10). However, Chen does not disclose that the clock synchronizer has several buffer memories corresponding to each input channel for writing plesiochronous signals with their respective clocks and reading out the signals with a synchronous clock. Humphrey and Jean-Claude each discloses a clock synchronizer having several buffer memories for reading in plesiochronous signals with their respective clocks and reading out the signals with a synchronous clock (Humphrey, Figure 6, items 101; col. 8, lines 9-16; Jean-Claude, Figure 1, items 1-4; col. 3, lines 52-60). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to adapt plesiochronous signals to a common clock using buffers in the invention of Chen in order to avoid losing data while adapting the input signals to a different clock.

3. Regarding claim 6, the reception processing means of Chen comprises an inherent synchronizer and mapper for equalizing the bit rates of the plesiochronous signal and mapping the equalized plesiochronous signal to provide the synchronous signal (col. 6, lines 8-12 and lines 55-62; col. 7, lines 24-30; note: a mapped plesiochronous signal is able to be recovered from the synchronous signal).

***Allowable Subject Matter***

4. Claims 4-5 are allowed.

5. Claims 3 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Art Unit: 2666

*Conclusion*

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. McKnight et al. (US 5,062,105) discloses a synchronous multiplexing system (Figure 1).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Harper whose telephone number is 703-305-0139. The examiner can normally be reached weekdays, except Wednesday, from 9:30 AM to 8:00 PM ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema S. Rao, can be reached at 703-308-5463. The fax number for Technology Center (TC) 2600 is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service Office for TC 2600 at 703-306-0377.

Kevin C. Harper



June 23, 2003